

16, of the F. C. C. S. S. B. No. 49, Chapter 107, Acts of the Regular Session, Forty-first Legislature, 1929, relating to the salary of the Board of Pharmacy, providing renewal fees for licenses and prohibiting the use of the word 'Pharmacy' where no registered pharmacist is employed, and fixing penalties, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,
Austin, Texas, March 22, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 507, A bill to be entitled "An Act permitting the commissioners courts in counties of more than three hundred thousand and less than three hundred and fifty thousand inhabitants, according to the preceding Federal Census, to maintain public rest rooms, and provide for the appointment and the salary of a matron, the furnishing of said rest rooms, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,
Austin, Texas, March 21, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 101, A bill to be entitled "An Act amending Article 879 and Article 879-b of Chapter 6, Title 13, Revised Criminal Statutes of Texas, 1925, as amended by Acts of the Fortieth Legislature, page 316, Chapter 215, and amended by Acts of the Fourth Called Session of the Forty-first Legislature, page 29, Chapter 19, providing an open season or period of time when it shall be lawful to hunt, take, or kill wild mourning doves, wild quail of all kinds and wild Mexican pheasants, or chachalaca, in the North and South Zones as such zones are defined in Article 878 of the Revised Penal Code, etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

FORTIETH DAY

(Continued)

(Tuesday, March 26, 1935)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

EXPRESSING APPRECIATION TO THE MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read, the following communications:

Henderson, Texas, March 24, 1935.

Honorable Coke Stevenson, Speaker of the House of Representatives, Austin, Texas.

Dear Mr. Speaker: On behalf of myself, I desire to thank the members of the House of Representatives for the resolution of sympathy passed by the House during my recent illness, and I also desire to thank the House for the flowers sent me during my illness.

If you will have this expression read to the membership, I shall appreciate it.

Respectfully,

R. M. LEATH.

The family of Sam McKinney acknowledges with grateful appreciation your kind expression of sympathy.

HOUSE BILL NO. 327 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 327, A bill to be entitled "An Act appropriating five million dollars (\$5,000,000) per year, or so much thereof as may be necessary, for the next biennium beginning September 1, 1935, and ending August 31, 1937, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, including sufficient funds to match Federal funds appropriated for the purpose of conducting vocational agriculture, home economics, trades and industries, general rehabilitation and rehabilitation for crippled children; attaching conditions, regulations and limitations relative thereto, etc., and declaring an emergency";

The bill having heretofore been read second time, with the following amendment by Mr. Petsch, as amended by amendment by Mr. Tennyson, pending:

"Provided, that none of the funds appropriated for the benefit of the schools of Texas under the terms of this Act shall be used for any purpose other than to pay for transportation, and/or to supplement teachers' salaries and or to supplement Federal Aid, and in no case contrary to the expressed provisions set out in the Act; and provided that no school shall receive any aid whatsoever from the funds appropriated by virtue of this statute in the event the trustees of such school shall budget for expenditures, and/or contract to expend and or spend out of the local maintenance funds of such school (for the purpose of making improvements to the buildings, grounds, and/or purchasing equipments for such school or its library) for the year for which Rural Aid is requested in excess of the following amounts, to wit: (a) in case of a one teacher's school, the sum of fifty dollars (\$50) for such year; (b) in case of a two teachers' school, one hundred dollars (\$100) for such year; (c) in case of a school employing more than two teachers, one hundred and fifty dollars (\$150) for such year; and provided further, that no financial aid shall ever be withheld from any school entitled to such aid under the provisions of this bill by virtue of an alleged deficiency in the certificates held by the teaching personnel of any such schools on account of and/or by virtue of any regulation of the State Superintendent of Public Instruction, the Department of Education, and or the Board of Education, unless such rule or regulation is expressly provided by the statutes of this State."

PETSCH,
GRAVES,
KNETSCH.

Mr. Keefe offered the following amendment to the amendment by Mr. Petsch:

Amend amendment by Mr. Petsch by striking out all after the word "year," in line 16.

Question recurring on the amendment to the amendment, yeas and nays were demanded.

The amendment to the amendment was lost by the following vote:

Yeas—31

Beck	Keefe
Bergman	Lanning
Butler of Brazos	Luker
Cagle	McCalla
Colson	Moore
Daniel	Patterson
Davison of Fisher	Quinn
Dickison	Reed of Dallas
Dunlap of Hays	Roach of Angelina
Ford	Roberts
Harris of Dallas	Russell
Howard	Scarborough
Hunt	Settle
Hyder	Stinson
Jefferson	Thornton
Jones of Wise	

Nays—92

Adamson	James
Adkins	Jones of Atascosa
Aikin	Jones of Falls
Alexander	Jones of Runnels
Alsup	Jones of Shelby
Atchison	King
Bourne	Knetsch
Bradbury	Lange
Bradford	Latham
Broyles	Leath
Burton	Lemens
Butler of Karnes	Lindsey
Caldwell	Lotief
Calvert	Lucas
Canon	McConnell
Colquitt	McFarland
Cooper	McKee
Cowley	McKinney
Craddock	Moffett
Crossley	Morris
Davis	Morrison
Dunagan	Newton
Duvall	Palmer
Fain	Payne
Farmer	Petsch
Fisher	Pope
Fitzwater	Reed of Bowie
Fox	Riddle
Frazer	Roach of Hunt
Fuchs	Roane
Gibson	Roark
Glass	Rutta
Graves	Shofner
Gray	Smith
Greathouse	Stanfield
Hardin	Steward
Harris of Archer	Tennyson
Herzik	Tillery
Hill	Waggoner
Hodges	Walker
Hofheinz	Wells
Holland	Westfall
Hoskins	Wood of Harrison
Huddleston	Worley
Hunter	Young
Jackson	Youngblood

Absent

Ash	Hanna
Celaya	Hartzog
Clayton	Leonard
Collins	Morse
Davisson	Olsen
of Eastland	Padgett
Dunlap of Kleberg	Rogers
Dwyer	Spears
England	Stovall
Good	Tarwater
Hankamer	

Absent—Excused

Head	Reader
Mauritz	Venable
Nicholson	Wood of Montague

Mr. Russell offered the following amendment to the amendment by Mr. Petsch:

Amend Petsch amendment as follows:

"Provided, however, the limits set in expenditures from local maintenance shall not apply in cases of public calamity caused by acts of God."

The amendment by Mr. Russell was adopted.

The amendment as amended was then adopted.

Mr. Aikin moved to reconsider the vote by which the amendment by Mr. Russell, striking out Section 2 of the bill, was adopted.

The motion to reconsider prevailed.

Question—Shall the amendment by Mr. Russell be adopted?

Mr. Aikin moved to table the amendment by Mr. Russell.

The motion to table prevailed.

Mr. Graves withdrew the pending amendment offered by himself on last Wednesday, March 20.

Mr. Farmer offered the following amendment to the bill:

Amend House Bill No. 327 as follows:

Strike out the words and figures, "five million dollars (\$5,000,000)" wherever they appear in the bill and insert therefor these words and figures, "four million two hundred fifty thousand dollars (\$4,250,000)."

Mr. Aikin moved to table the amendment by Mr. Farmer.

The motion to table prevailed.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 327 was then passed to engrossment.

HOUSE BILL NO. 327 ON THIRD READING

Mr. Russell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 327 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Adamson	Greathouse
Adkins	Hankamer
Aikin	Hanna
Alexander	Hardin
Alsup	Harris of Archer
Atchison	Harris of Dallas
Beck	Hartzog
Bergman	Herzik
Bourne	Hill
Bradbury	Hodges
Bradford	Hofheinz
Broyles	Holland
Burton	Hoskins
Butler of Brazos	Howard
Butler of Karnes	Huddleston
Cagle	Hunt
Caldwell	Hunter
Calvert	Hyder
Canon	Jackson
Clayton	James
Collins	Jones of Atascosa
Colquitt	Jones of Falls
Colson	Jones of Runnels
Cooper	Jones of Shelby
Cowley	Jones of Wise
Craddock	Keefe
Crossley	King
Daniel	Knetsch
Davis	Lange
Davison of Fisher	Lanning
Davisson	Latham
of Eastland	Leath
Dickison	Lemens
Dunagan	Lotief
Dunlap of Hays	Lucas
Duvall	Luker
Dwyer	McCalla
England	McConnell
Fain	McFarland
Farmer	McKee
Fisher	McKinney
Fitzwater	Moffett
Ford	Moore
Fox	Morris
Frazer	Morrison
Fuchs	Newton
Gibson	Padgett
Glass	Palmer
Good	Patterson
Graves	Payne
Gray	Petsch

Quinn	Stinson
Reed of Bowie	Stovall
Reed of Dallas	Tarwater
Roach of Angelina	Tennyson
Roach of Hunt	Thornton
Roane	Tillery
Roark	Waggoner
Roberts	Walker
Russell	Wells
Rutta	Westfall
Settle	Wood of Harrison
Shofner	Wood of Montague
Smith	Worley
Spears	Young
Stanfield	Youngblood
Steward	

Nays—1

Lindsey

Absent

Ash	Olsen
Celaya	Pope
Dunlap of Kleberg	Riddle
Jefferson	Rogers
Leonard	Scarborough
Morse	

Absent—Excused

Head	Reader
Mauritz	Venable
Nicholson	

The Speaker then laid House Bill No. 327 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—132

Adamson	Crossley
Adkins	Daniel
Aikin	Davis
Alexander	Davison of Fisher
Alsup	Davisson
Ash	of Eastland
Atchison	Dickison
Beck	Dunagan
Bergman	Dunlap of Hays
Bourne	Duvall
Bradbury	Dwyer
Bradford	England
Broyles	Fain
Burton	Farmer
Butler of Brazos	Fisher
Butler of Karnes	Fitzwater
Cagle	Ford
Caldwell	Fox
Calvert	Frazer
Canon	Fuchs
Clayton	Gibson
Collins	Glass
Colquitt	Good
Colson	Gray
Cooper	Greathouse
Cowley	Hankamer
Craddock	Hanna

Hardin	Morrison
Harris of Archer	Newton
Harris of Dallas	Padgett
Hartzog	Palmer
Herzik	Patterson
Hill	Payne
Hodges	Petsch
Hofheinz	Pope
Hoskins	Quinn
Howard	Reed of Bowie
Huddleston	Reed of Dallas
Hunt	Roach of Angelina
Hunter	Roach of Hunt
Hyder	Roane
Jackson	Roark
James	Roberts
Jones of Atascosa	Russell
Jones of Falls	Rutta
Jones of Runnels	Scarborough
Jones of Shelby	Settle
Jones of Wise	Shofner
Keefe	Smith
King	Spears
Knetsch	Stanfield
Lange	Steward
Lanning	Stinson
Latham	Stovall
Leath	Tarwater
Lemens	Tennyson
Lotief	Thornton
Lucas	Tillery
Luker	Waggoner
McCalla	Walker
McConnell	Wells
McFarland	Westfall
McKee	Wood of Harrison
McKinney	Wood of Montague
Moffett	Worley
Moore	Youngblood
Morris	

Nays—2

Graves Lindsey

Absent

Celaya	Morse
Dunlap of Kleberg	Olsen
Holland	Riddle
Jefferson	Rogers
Leonard	Young

Absent—Excused

Head	Reader
Mauritz	Venable
Nicholson	

HOUSE BILL NO. 230 WITH SENATE AMENDMENTS

Mr. Butler of Brazos called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 230, A bill to be entitled "An Act appropriating the sum of eighteen hundred dollars, or so much

thereof as may be necessary, out of any monies in the General Revenue Fund of this State, not otherwise appropriated, for the purpose of hiring two additional stenographers for the Governor's office, together with necessary materials, etc., such appropriation to last throughout the current biennium, ending August 31, 1935, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Butler of Brazos, the House concurred in the Senate amendments by the following vote:

Yeas—117

Adamson	Hanna
Adkins	Harris of Archer
Aikin	Harris of Dallas
Alexander	Hartzog
Alsup	Herzik
Ash	Hill
Atchison	Hodges
Beck	Hofheinz
Bourne	Hoskins
Bradbury	Howard
Bradford	Huddleston
Broyles	Hunt
Burton	Hunter
Butler of Brazos	Jackson
Butler of Karnes	James
Cagle	Jones of Falls
Caldwell	Jones of Runnels
Calvert	Jones of Shelby
Canon	Jones of Wise
Clayton	King
Collins	Knetsch
Colquitt	Lanning
Colson	Latham
Cooper	Lemens
Craddock	Lindsey
Crossley	Lotief
Daniel	Lucas
Davis	McCalla
Davison of Fisher	McConnell
Davisson	McFarland
of Eastland	McKinney
Dunagan	Moffett
Dunlap of Hays	Moore
Duvall	Morris
Dwyer	Morrison
England	Newton
Fain	Padgett
Farmer	Palmer
Fisher	Petsch
Ford	Pope
Fox	Quinn
Frazer	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Roach of Angelina
Glass	Roach of Hunt
Good	Roark
Graves	Roberts
Greathouse	Rogers
Hankamer	Russell

Rutta	Thornton
Scarborough	Tillery
Settle	Waggoner
Shofner	Walker
Smith	Wells
Stanfield	Westfall
Stinson	Wood of Harrison
Stovall	Worley
Tarwater	Young
Tennyson	Youngblood

Nays—2

Hardin

Patterson

Absent

Bergman	Lange
Celaya	Leath
Cowley	Leonard
Dickison	Luker
Dunlap of Kleberg	McKee
Fitzwater	Morse
Gray	Olsen
Holland	Payne
Hyder	Riddle
Jefferson	Roane
Jones of Atascosa	Spears
Keefe	Steward

Absent—Excused

Head	Reader
Mauritz	Venable
Nicholson	Wood of Montague

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read, the following enrolled bills:

S. B. No. 460, "An Act amending Section 3 of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature, as amended by Chapter 3, General Laws, Second Called Session of the Forty-third Legislature, being Article 6675a-3, Revised Statutes, providing for form of application for registration of motor vehicles, etc., and declaring an emergency."

H. B. No. 230, "An Act appropriating the sum of eleven hundred dollars (\$1100), or so much thereof as may be necessary, out of any monies in the General Revenue Fund of this State, not otherwise appropriated, for the purpose of hiring two (2) additional stenographers for the Governor's office, together with necessary materials, etc., such appropriation to last throughout the current biennium, ending August 31, 1935, and declaring an emergency."

HOUSE BILL NO. 71 ON SECOND
READING

On motion of Mr. Dunagan, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 71, A bill to be entitled "An Act relating to the licensing of motor vehicle operators and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways, providing for issuance of licenses, revocation of operator's and chauffeur's licenses under certain conditions, forbidding driving by persons without licenses, providing penalties, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Harris of Dallas offered the following committee amendment to the bill:

Amend House Bill No. 71 by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. Definitions. The following words and phrases when used in this Act shall for the purpose of this Act have the meanings respectively ascribed to them in this section except in those instances where the context indicates a different meaning.

"(a) 'Vehicle.' Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively on stationary rails or tracks.

"(b) 'Motor Vehicle.' Every vehicle as herein defined, which is self-propelled.

"(c) 'Farm Tractor.' Every motor vehicle designed and used primarily as a farm implement for drawing plows, sowing machines and other implements of husbandry.

"(d) 'Person.' Every natural person, firm, copartnership, association or corporation.

"(e) 'Owner.' A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement

and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Act.

"(f) 'Operator.' Every person, other than a chauffeur who is in actual physical control of a motor vehicle upon a highway.

"(g) 'Chauffeur.' Every person, who is employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

"(h) 'Non-residents.' Every person who is not a resident of this State.

"(i) 'Highway.' Every way or place of whatever nature open as a matter of right to the use of the public for purposes of vehicular travel. The term 'Highway' shall not be deemed to include a roadway or driveway upon grounds owned by private person, colleges, universities, or other institutions.

"(j) 'Department.' The Vehicle Department of this State acting directly or through its duly authorized officers or agents.

"(k) 'Commissioner.' The Vehicle Commissioner of this State.

"Sec. 1-a. 'Vehicle Commissioner.' There is hereby created the office of Vehicle Commissioner, the holder of the office to organize and be in charge of the Vehicle Department of this State and to be appointed by each incoming Governor for a term of two (2) years.

"(b) It shall be the duty of the Department and all officers thereof to enforce the provisions of this Act.

"(c) The Vehicle Commissioner is hereby authorized to adopt and enforce such administrative rules and regulations and to designate such agencies as may be necessary to carry out the provisions of this Act. He shall also provide and furnish suitable forms and blanks for application, registration, and license cards or blanks, and all other forms requisite for the purposes of this Act, and shall prepay all transportation charges on same.

"(d) The Vehicle Commissioner shall maintain an office in the State Highway Building at Austin, Texas, and at such other places in this State

as he shall deem necessary, properly to carry out the provisions of this Act.

"Sec. 2. Operators and Chauffeurs Must Be Licensed. No person except those expressly exempt under this Act shall drive any motor vehicle upon a highway in this State unless such person, upon application, has been licensed as an operator or chauffeur by the Department under the provisions of this Act.

"Sec. 3. What Persons Are Exempt from License. (a) No person shall be required to obtain an operator's or chauffeur's license for the purpose of driving or operating a road roller, road machinery, or any farm tractor implement of husbandry temporarily drawn, moved, or propelled on the highways.

"(b) Every person in the service of the Army, Navy, or Marine Corps of the United States, and when furnished with a driver's permit and when operating an official motor vehicle in such service shall be exempt from license under this Act.

"Sec. 4. Non-resident, Where Exempt from License. (a) A non-resident over the age of sixteen (16) years who has been duly licensed either as an operator or chauffeur under a law requiring the licensing of operators or chauffeurs in his home State or country and who has in his immediate possession either a valid operator's or chauffeur's license issued to him in his home State or country shall be permitted, without examination or license under this Act, to drive a motor vehicle upon the highways of this State.

"(b) Any non-resident or other person whose operator's or chauffeur's license or right or privilege to operate a motor vehicle in this State has been suspended or revoked as provided in this Act shall not operate a motor vehicle in this State under a license, permit or registration certificate issued by any other jurisdiction, or otherwise operate a motor vehicle in this State during the period of such revocation. Any person operating a motor vehicle in violation of this Section shall be guilty of a misdemeanor, and upon conviction shall be punished as provided in Section 26 of this Act.

"Sec. 5. What Persons Shall Be Licensed. (a) An operator's license shall not be issued to any person

under the age of sixteen (16) years, and no chauffeur's license shall be issued to any person under the age of eighteen (18) years.

"(b) The Department shall not issue an operator's or chauffeur's license to any person whose license, either as operator or chauffeur, has been suspended during the period for which such license was suspended; nor to any person whose license, either as operator or chauffeur, has been revoked under provision of this Act until the expiration of one year after such license was revoked.

"(c) The Department shall not issue an operator's or chauffeur's license to any person whom it has determined is an habitual drunkard or is addicted to the use of narcotic drugs.

"(d) No operator's or chauffeur's license shall be issued to any applicant who has previously been adjudged insane or an idiot, imbecile, epileptic, or feeble-minded, and who has not at the time of such application been restored to competency by judicial decree or released from a hospital for the insane or feeble-minded upon a certificate of the superintendent that such person is competent, nor then unless the Department is satisfied that such person is competent to operate a motor vehicle with safety to persons and property.

"(e) The Department shall not issue an operator's or chauffeur's license to any person when in the opinion of the Department such person is afflicted with or suffering from such physical or mental disability or disease as will serve to prevent such persons from exercising reasonable and ordinary control over a motor vehicle while operating the same upon the highways, nor shall a license be issued to any person who is unable to understand highway warnings or direction signs in the English language.

"Sec. 6. Age Limits for Drivers of School Busses and Public Carrying Motor Vehicles. It shall be unlawful for any person, whether licensed under this Act or not, who is under the age of twenty-one (21) years to drive a motor vehicle while in use as a school bus for the transportation of pupils to and from school or for any person whether licensed under this Act or not, who is

under the age of eighteen (18) years to drive a motor vehicle while in use as a public passenger carrying vehicle.

"Sec. 7. Application for Operator's or Chauffeur's License. (a) Every application for an operator's or chauffeur's license shall be made upon the approved form furnished by the Department and shall be verified by a person authorized to administer oaths.

"(b) Every application shall state the name, age, sex, residence address and such other physical description as may be required of the applicant and whether or not the applicant has heretofore been licensed as an operator or chauffeur and if so when and by what State and whether or not such license has ever been suspended or revoked and if so the date of and reason for such suspension or revocation.

"Sec. 8. Application of Minors. The Department shall not grant the application of any minor under the age of eighteen (18) years for an operator's license unless such application is signed by the father of the applicant, if the father is living and has the custody of the applicant, otherwise by the mother or guardian having the custody of such minor, or in the event a minor under the age of eighteen (18) years has no father, mother or guardian, the operator's license shall not be issued to the minor unless his application therefor is signed by his employer.

"Sec. 9. Examination of Applicant. (a) The Department shall examine every applicant for an operator's or chauffeur's license before issuing any such license, except as otherwise provided in Subdivisions (b) and (c) of this section. The Department shall examine the applicant as to his physical and mental qualifications to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property and as to whether any facts exist which would bar the issuance of a license under Section 5 of this Act, but such examination shall not include investigation of any facts other than those directly pertaining to the ability of the applicant to operate a motor vehicle with safety, or other than those facts declared to be prerequisite to the issuance of a license under this Act.

"(b) The Department may, in its discretion, waive the examination of any person applying for the renewal of an operator's or chauffeur's license issued under this Act.

"(c) The Department may, in its discretion, issue an operator's or chauffeur's license under this Act without examination to every person applying therefor within three (3) months after this section takes effect and who is of sufficient age, as required by Section 5 of this Act, to receive the license applied for and who furnishes evidence satisfactory to the Department that such applicant has previously operated a motor vehicle in a satisfactory manner within this State for over a period of not less than one year.

"Sec. 10. Designation of Local Officers. The Commissioner (Department) is hereby authorized to designate sheriffs, chief of police, town marshal, and to appoint examiners and inspectors within this State to act for the Department for the purpose of examining applicants for operator's and chauffeur's licenses, and any such person so appointed shall have the authority to administer oaths to applicants for licenses under this Act. It shall be the duty of such sheriff, chief of police, town marshal or examiner and inspector so designated or appointed to conduct examinations of applicants for operator's and chauffeur's licenses under the provisions of this Act and to make a written report of findings and recommendations upon such examination to the Department of Texas.

"(a) Examiners and inspectors appointed under this Act shall have the same authority as other peace officers except they are not permitted to serve papers or court processes in either civil or criminal cases other than those mentioned in this Act.

"Sec. 11. Register of Operators and Chauffeurs. (a) The Department shall issue to every person licensed as an operator an operator's license and to every person licensed as a chauffeur a chauffeur's license and operator's license. Every chauffeur before operating a motor vehicle as a public or common carrier of persons or property shall apply for and receive from the Department, and at all times while so operating a motor vehicle shall display in plain sight upon the band of his cap or upon the lapel of

his outer coat a chauffeur's badge. All persons licensed as chauffeurs shall be issued by the Department an operator's license at no additional cost other than fee charged for chauffeur's license.

"(b) Every such license shall bear thereon a distinguishing number assigned to the licensee and shall contain the name, age, residence address, and a brief description of the licensee for the purpose of identification. Also a space for the signature of the licensee.

"(c) Any erasure or changes in the typing on an operator's or chauffeur's license card will show on the license issued by the Department and will be taken as evidence of a fraudulent attempt or effort to change the original license, and any such act will cause the immediate cancellation of the license of the person to whom it was originally issued.

"(d) Every chauffeur's badge shall be of metal with a plainly readable distinguishing number assigned to the license stamped thereon.

"Sec. 12. Duplicate License Certificates and Chauffeur's Badges. In the event that an operator's or chauffeur's license or a chauffeur's badge issued under the provisions of this Act shall be lost or destroyed, the person to whom the same was issued may obtain a duplicate or substitute thereof upon furnishing proof satisfactory to the Department that such license or badge has been lost or destroyed and upon payment of the fees required by law.

"Sec. 13. License to Be Signed and Carried. (a) Every person licensed as a chauffeur or operator shall write his usual signature with pen and ink in the space provided for that purpose on the license certificate issued to him immediately upon receipt of such certificate and such license shall not be valid until the certificate is so signed.

"(b) The licensee shall have such license in his immediate possession at all times when driving a motor vehicle and shall display same on demand of a peace officer or inspector of the Department. It shall be a defense to any charge under this subsection that the person so charged produce in court an operator's license theretofore issued to such person and valid at the time of his arrest.

"Sec. 14. Expiration of Licenses, Fees Therefor, and Disposition of Same. (a) Every operator's license

issued hereunder shall expire December 31st of each year and shall be renewed annually upon application and payment of the fees required by law, provided that the Department in its discretion may waive the examination of any such applicant previously licensed under this Act.

"(b) Every chauffeur's license issued hereunder shall expire December 31st of each year and shall be renewed annually upon application and payment of the fees required by law, provided that the Department in its discretion may waive the examination of any such applicant previously licensed as a chauffeur under this Act.

"(c) The Department shall provide and furnish the necessary forms and blanks to properly carry out the provisions of this Act.

"(d) Operator's and chauffeur's license fee shall accompany each application made for a license, which fee shall be as follows:

"Operator's license fee, 25 cents.

"Duplicate operator's license, 25 cents.

"Chauffeur's license fee and badge, \$3 annually.

"Duplicate chauffeur's license fee, \$2.50 annually.

"Duplicate chauffeur's badge, 50 cents.

"(e) The Commission shall deposit all money or moneys received under this Act, with the State Treasurer in a special fund, to be known as the 'Motor Vehicle Fund,' and he shall use said fund, or as much thereof as may be necessary, in providing and furnishing the necessary blanks and forms as provided in this Act, to employ such inspectors and examiners as may be required to properly administer the conduct of his Department, and to provide for the customary overhead expenses of the Department, and for any judicial hearings relating to the suspension or revocation of operator's and chauffeur's licenses and all other necessary costs of administration, and at the end of each fiscal year, he is to submit a comprehensive and complete report of the receipts and expenditures of his Department to the Governor of this State.

"Sec. 15. Court to Report Convictions and May Recommend Suspension of Licenses. Every court having jurisdiction over offenses committed under this Act or any other Act of this State regulating the operation of

motor vehicles on the highways, shall forward to the Department a record of the conviction of any person in said court for a violation of any of said laws, and may recommend the suspension of the operator's or chauffeur's license of the person so convicted, and the Department shall thereupon consider and act upon such recommendation in such manner as may seem to it best.

"Sec. 16. Mandatory Suspension or Revocation of License by the Department. (a) The Department shall forthwith revoke the license of any person upon receiving a record of the conviction of such person of any of the following:

"1. Manslaughter resulting from the operation of a motor vehicle.

"2. Driving a motor vehicle while under the influence of intoxicating liquors or narcotic drugs.

"3. Perjury or the making of a false affidavit to the Department under this Act or any other law of this State requiring the registration of motor vehicles or regulating their operation on highways.

"4. Any crime punishable as a felony under the motor vehicle laws of this State or any other felony in the commission of which a motor vehicle is used.

"5. Conviction or forfeiture of bail upon three charges of reckless driving, all within the preceding twelve (12) months.

"6. A conviction of a driver of a motor vehicle, involved in an accident resulting in the death or injury of another person, upon the charge of failing to stop and disclose his identity at the scene of the accident.

"(b) The Department, upon receiving a record of the conviction of any person upon a charge of operating a motor vehicle while the license of such person is suspended or revoked, shall immediately extend the period of such first suspension or revocation for an additional like period.

"Sec. 17. Department May Suspend or Revoke License. (a) The Department may immediately suspend the license of any person without hearing and receiving a record of conviction of such person of crime whenever the Department has reason to believe:

"1. That such person has committed any offenses for the conviction of which mandatory revocation of license is provided in Section 17.

"2. That such person has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any person or serious property damage.

"3. That such person is incompetent to drive a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to drive a motor vehicle upon the highway.

"4. That such person is an habitual, reckless or negligent driver of a motor vehicle or has committed a serious violation of the motor vehicle laws of this State. Whenever the Department suspends the license of any person for any reason set forth in the above four paragraphs, the Department shall immediately notify the licensee and afford him an opportunity of a hearing before the said Department in the county wherein the licensee resides. And upon such hearing the Department shall either rescind its order of suspension or, good cause appearing therefor, may suspend the license of such person for a further period or revoke said license.

"(b) The Department is hereby authorized to suspend or revoke the right of any non-resident to operate a motor vehicle in this State, for any cause for which the license of a resident operator or chauffeur may be suspended or revoked, and any non-resident who operates a motor vehicle upon a highway when his right to operate has been suspended or revoked by the Department shall be guilty of a misdemeanor and subject to punishment as provided in Section 26.

"(c) The Department is hereby authorized to suspend or revoke the license of any resident of this State upon receiving notice of the conviction of such person in any other State of an offense therein, which if committed in this State, would be grounds for the suspension or revocation of the license of an operator or chauffeur. The Department is further authorized, upon receiving a record of the conviction in this State of a non-resident driver of a motor vehicle of any offense under the motor vehicle laws of this State, to forward a certified copy of such record to the motor vehicle administrator in the State wherein the person so convicted is a resident.

"(d) The Department shall not suspend a license for a period of more than one year, and upon suspending or revoking any license shall require that such license shall be surrendered to and retained by the Department, and the badge of any chauffeur whose license is so suspended or revoked shall be also surrendered to the Department, except that at the end of a period of suspension such license and badge shall be returned to the licensee.

"Sec. 18. Right to Appeal to Court. Any person denied a license or whose license has been revoked by the Department, except where such revocation is mandatory under the provisions of this Act, shall have the right to file a petition within thirty (30) days thereafter for a hearing in the matter in the district court in the county wherein such person shall reside, and such court is hereby vested with jurisdiction, and it shall be its duty to set the matter for hearing upon ten (10) days' written notice to the Commissioner, and thereupon to take testimony and examine into the facts of the case, and to determine whether the petitioner is entitled to a license or is subject to revocation of license under the provisions of this Act.

"Sec. 19. New License After Revocation. Any person whose license is revoked under this Act shall not be entitled to apply for or receive any new license until the expiration of one year from the date former license was revoked.

"Sec. 20. When Parent, Guardian, or Employer Liable for Negligence of Minor. Any negligence of a minor under the age of eighteen (18) years licensed upon application signed as provided in Section 6, when driving any motor vehicle upon a highway, shall be imputed to the person who shall have signed the application of such minor for said license, which person shall be jointly and severally liable, with such minor, for any damages caused by such negligence.

"Sec. 21. Owner Liable for Negligence of Minor. Every owner of a motor vehicle causing or knowingly permitting a minor under the age of eighteen (18) years to drive such vehicle upon a highway, and any person who gives or furnishes a motor vehicle to such minor, shall be jointly and severally liable with such minor

for any damages caused by the negligence of such minor in driving such vehicle.

"Sec. 22. State, Counties, and Municipalities When Liable for Negligence of Their Employes. This State and every county, city, municipal or other public corporation within the State employing any operator or chauffeur shall be jointly and severally liable with such operator or chauffeur for any damages caused by the negligence of the latter while driving a motor vehicle upon a highway in the course of his employment.

"Sec. 23. Violation of License Provisions. It shall be unlawful for any person to commit any of the following acts:

"First. To display or cause or permit to be displayed or to have in possession any operator's or chauffeur's license knowing same to be fictitious or to have been canceled, revoked, suspended, or altered.

"Second. To lend or to knowingly permit the use of, by one not entitled thereto, any operator's or chauffeur's license issued to the person so lending or permitting the use thereof.

"Third. To display or to represent as one's own any operator's or chauffeur's license not issued to the person so displaying same.

"Fourth. To fail or refuse to surrender to the Department on demand any operator's or chauffeur's license which has been suspended, canceled, or revoked as provided by law.

"Fifth. To use a false or fictitious name or to give a false or fictitious address in any application for an operator's or chauffeur's license, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal material fact or otherwise commit a fraud in any such application.

"Sec. 24. Penalty for Misdemeanor.

(a) It shall be a misdemeanor for any person to violate any of the provisions of this Act unless such violation is by this Act or other laws of this State declared to be a felony. (b) Unless another penalty is in this Act or by the laws of this State provided, every person convicted of a misdemeanor for the violation of any provision of this Act, shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment for not more than six months, or by both such fine and imprisonment.

"Sec. 25. Penalty for Driving While License Suspended or Revoked. Any person convicted for driving while license is suspended or revoked, shall be punished by imprisonment in the county jail for a period of not less than two (2) days, or not more than six (6) months, and there may be imposed, in addition thereto, a fine of not more than five hundred dollars (\$500).

"Sec. 26. Constitutionality. If any part or parts of this Act shall be held to be unconstitutional such unconstitutionality shall not affect the validity of the remaining parts of this Act. The Legislature hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts thereof would be declared unconstitutional.

"Sec. 27. Repealing Clause. All laws and parts of laws in conflict herewith are hereby expressly repealed.

"Sec. 28. Emergency Clause. The fact that Texas now has no adequate law providing for the licensing of operators and chauffeurs and that such Act must be immediately passed in order that steps may be taken to put it in force on the date fixed in said Act for its becoming effective, create an emergency and an imperative public necessity requiring that the constitutional rule providing that bills be read on three separate days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Cooper and Mr. Stinson offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, Section 1, Subsection (j), page 2, lines 20 and 21, by striking out the entire section and inserting in lieu thereof the following:

"'Department' shall mean the Texas Highway Patrol acting directly and through its duly authorized officers or agents."

COOPER,
STINSON.

The amendment was adopted.

Mr. Cooper and Mr. Stinson offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, Section 1, Sub-

section (k), page 2, lines 22 and 23, by striking out the entire section and inserting in lieu thereof the following:

"The word 'Commissioner' as used in this Act shall mean the Chief of the State Highway Patrol."

COOPER,
STINSON.

The amendment was adopted.

Mr. Cooper and Mr. Stinson offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by inserting after the word "examiners," line 14, page 8, the following: "officers, deputies, assistants, and clerical help."

COOPER,
STINSON.

Mr. Scarborough moved the previous question on the pending amendment, amendments on the Speaker's desk, and the bill, and the motion was not seconded.

Question recurring on the amendment by Mr. Cooper, it was adopted.

Mr. Cooper and Mr. Stinson offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by eliminating Section 1, Subsection (i) and inserting in lieu thereof the following:

"'Highway' shall include any road, street, way, thoroughfare, or bridge in this State not privately owned or controlled for the use of vehicles over which the State has legislative jurisdiction under its police power."

COOPER,
STINSON.

Mr. Alsop offered the following substitute for the amendment by Mr. Cooper:

Amend committee amendment to House Bill No. 71, Section 1 (i), page 2, by striking out Subsection (i) and by inserting in lieu thereof the following:

"(i) 'Highway.' Every road designated by the State Highway Department as a State highway, and all streets in all cities, towns, and municipalities."

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. Cooper and Mr. Stinson offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, Section 10, line 4, by inserting after the word 'marshal' the words "or any other person."

COOPER,
STINSON.

The amendment was adopted.

Mr. Cooper and Mr. Stinson offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, Section 10, by eliminating Subsection 10-a.

COOPER,
STINSON.

The amendment was adopted.

Mr. Aikin offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, page 8, line 6, by striking out the figures "\$3" and insert in lieu thereof the following: "\$1."

AIKIN,
FAIN.

Mr. McKee offered the following substitute for the amendment by Mr. Aikin:

Substitute for amendment to committee amendment to House Bill No. 71, page 8, line 6, to read as follows: "Commercial vehicle license fee, \$3. Passenger or private car fee, 25c."

The substitute amendment was lost.

Mr. Rogers offered the following substitute for the amendment by Mr. Aikin:

"Strike out all of line 6, page 8, of Section 14."

Mr. Dunagan moved to table the substitute amendment by Mr. Rogers.

The motion to table prevailed.

Mr. Harris of Dallas moved to table the amendment by Mr. Aikin.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—31

Alexander	Cooper
Bergman	Dunagan
Cagle	Dunlap of Hays
Celaya	Hanna
Collins	Harris of Archer

Harris of Dallas
Hill
Hofheinz
Holland
Hunter
Hyder
Jefferson
Lemens
Lucas
Luker
McCalla

McFarland
McKee
Morris
Padgett
Reed of Dallas
Riddle
Scarborough
Steward
Stinson
Westfall

Nays—95

Adamson
Adkins
Aikin
Ash
Atchison
Bourne
Bradbury
Bradford
Broyles
Burton
Butler of Karnes
Caldwell
Calvert
Canon
Colquitt
Colson
Cowley
Craddock
Crossley
Daniel
Davis
Davisson
of Eastland
Dickison
Duvall
Dwyer
England
Fain
Farmer
Fisher
Ford
Fox
Frazer
Fuchs
Gibson
Glass
Good
Graves
Gray
Greathouse
Hardin
Herzik
Hodges
Howard
Huddleston
Hunt
Jackson
James

Jones of Atascosa
Jones of Falls
Jones of Runnels
Jones of Shelby
Keefe
King
Knetsch
Lange
Lanning
Latham
Leath
Leonard
Lindsey
Lotief
McConnell
McKinney
Moffett
Moore
Morrison
Newton
Olsen
Palmer
Patterson
Payne
Petsch
Quinn
Reed of Bowie
Roach of Angelina
Roach of Hunt
Roane
Roark
Roberts
Rogers
Russell
Rutta
Settle
Shofner
Smith
Stanfield
Stovall
Tarwater
Thornton
Tillery
Waggoner
Walker
Wells
Wood of Harrison
Worley

Absent

Alsup	Davison of Fisher
Beck	Dunlap of Kleberg
Butler of Brazos	Fitzwater
Clayton	Hankamer

Hartzog	Spears
Hoskins	Tennyson
Jones of Wise	Young
Morse	Youngblood
Pope	

Absent—Excused

Head	Reader
Mauritz	Venable
Nicholson	Wood of Montague

Question recurring on the amendment by Mr. Aikin, it was adopted.

Mr. Aikin offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, page 8, line 7, by striking out the figures "\$2.50" and insert in lieu thereof the figures "\$0.50."

The amendment was adopted.

Mr. Roane and Mr. Hartzog offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by adding in Section 3, page 3, in line 10, after the words "implement of husbandry" the following: "farm wagon, farm trailer, or other non-motor propelled vehicle or carriage."

ROANE,
HARTZOG.

The amendment was adopted.

Mr. Lemens offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by adding between the words "every" and "device" the words: "self-propelled."

The amendment was adopted.

Mr. Lucas offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, Section 14, page 8, line 4, by striking out the amount "25c" and insert in lieu thereof the word "free."

Mr. Harris of Dallas moved to table the amendment by Mr. Lucas.

The motion to table prevailed.

(Mr. Jefferson in the Chair.)

Mr. Cooper and Mr. McFarland offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by striking out Section 1-a, lines 24, 25, 26, 27, and 28, page 2, and renumbering the sections to conform.

COOPER,
McFARLAND.

The amendment was adopted.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 as follows: Strike out lines 29, 30, 31, on page 7, and substitute therefor these words:

"Every operator's license issued hereunder shall be good for three years and expire on December 31 thereafter."

Mr. Harris of Dallas moved to table the amendment by Mr. Farmer.

The motion to table prevailed.

Question—Shall the committee amendment be adopted?

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, March 26, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. J. R. No. 9, Proposing an amendment to Section 1 of Article VIII of the Constitution of the State of Texas, such amendment making no change in said Section 1 of Article VIII of the Constitution, other than providing that taxation of real property shall be equal and uniform; etc.

The Senate has granted the request of the House, for a conference committee to adjust the differences between the two Houses on House Bill No. 494.

The following have been appointed on the part of the Senate:

Senators Redditt, Hornsby, Neal, Sanderford, and Sulak.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS

On motion of Mr. Scarborough, the House at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 779

Mr. McKee submitted the following conference committee report on House Bill No. 779:

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate; Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, to whom was referred House Bill No. 779, have had same under consideration, and we recommend to the House of Representatives and to the Senate that said bill pass in the form attached hereto:

"H. B. No. 779,

A BILL

To Be Entitled

An Act making available currently the funds now on hand and hereafter accruing to the Jack and Stallion Fund of the State Department of Agriculture under the terms of Act of the Regular Session, Forty-third Legislature, Chapter 162, page 433, as amended Acts of the Forty-third Legislature, First Called Session, Chapter 10, page 32; providing for the drawing of warrants by the Comptroller and the payment of same by the State Treasurer in accordance with the provisions hereof and with the General Laws; providing that this Act shall not affect the amounts appropriated or to be appropriated to the Jack and Stallion Fund of the State Department of Agriculture, or change the proportion of the proceeds of the Special Racing Fund accruing to said Jack and Stallion Fund of the Department of Agriculture; declaring the intent of this Act; and amending Subsection 7, Chapter 166, Acts of the Forty-third Legislature, being House Bill No. 167, pages 428-433, as amended by Chapter 10, Acts Forty-third Legislature, 1933, First Called Session, being House Bill No. 12 of the Session Acts of the First Called Session of the Forty-third Legislature, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That from and after the effective date of this Act, all funds now on hand and hereafter accruing to the benefit of the State Department of Agriculture out of the Special Racing Fund created under the terms and provisions of Acts of the Regular Session, Forty-third Legislature, Chapter 162, page 433, as amended Acts of the Forty-third Legislature, First Called Session, Chapter 10, page 32, shall become available to and for the use of the State Department of Agriculture currently in making expenditures out of the Jack and Stallion Fund for the purpose for which such Fund is created, as such funds accrue. The State Comptroller is hereby authorized and empowered to draw warrants upon said Special Racing Fund and the State Treasurer is hereby authorized and empowered to pay such warrants in accordance with the provisions of this Act and with the general provisions of law.

Sec. 2. Nothing in this Act shall be construed either to increase or diminish the amounts of the appropriations heretofore made or hereafter to be made for the operating expenses of the State Department of Agriculture. Nor shall this Act be construed in any manner to affect or change the proportion of the proceeds of the said Special Racing Funds allocated to the State Department of Agriculture, it being the purpose and intent of this Act merely to provide that the Jack and Stallion Fund of the State Department of Agriculture shall receive its proportionate share of said funds currently as same are collected and deposited with the State Treasurer.

Sec. 3. That Subsection 7, of Chapter 166, Acts of the Forty-third Legislature, 1933, being House Bill No. 167, pages 428-433 of the Session Acts of the Forty-third Legislature as amended by Chapter 10, Acts of the First Called Session, Forty-third Legislature, 1933, being House Bill No. 12 of the Session Acts of the First Called Session of the Forty-third Legislature, be, and the same is hereby, amended to read as follows:

"Subsection 7. The titles of such animals so purchased shall be in the State of Texas. The Commissioner of Agriculture shall keep appropriate written records showing the price paid for each animal, from whom,

and where purchased, and obtain a bill of sale for each animal purchased, showing the age and breeding of such animal, the location and the custodian from time to time of such animal. He shall also procure from time to time a report from the county agent or county judge of the county where such animal is located, as to the condition and the use made of such animal, and the number of colts foaled in the calendar year in that county.

"For the service of such animals so distributed, the Commissioner of Agriculture is authorized to make a charge of not exceeding five dollars (\$5) for colts foaled. The amounts so collected by the Commissioner of Agriculture shall be remitted by him through the State Comptroller to the State Treasurer in the Special Racing Fund and shall be deposited to the credit of the Jack and Stallion Account to be used by the Commissioner of Agriculture for the purchase of additional stallions and jacks and for the maintenance of all State-owned stallions and jacks. Provided the Commissioner of Agriculture is hereby authorized to make refunds of such service charges when the animal served has not been foaled by such service, upon due proof thereof being made to the Commissioner of Agriculture on such forms prescribed by him. The Treasurer is hereby authorized to pay warrants drawn by the Comptroller upon such Jack and Stallion Account in the Special Racing Fund upon vouchers issued therefor by the Commissioner of Agriculture.

"The Commissioner of Agriculture shall adopt and carry out reasonable rules and regulations with respect to the distribution, care, use, and maintenance of such animals. All expenditures thus authorized shall be paid upon accounts approved by the Commissioner of Agriculture, and warrants drawn by the Comptroller on the State Treasurer.

"In allotting or distributing said stallions and jacks, the Commissioner of Agriculture shall request and give consideration to the recommendations of the commissioners court of the particular counties seeking the distribution of such animals.

"The Commissioner of Agriculture, annually, in the month of November, shall make and file with the Governor and the Racing Commission a written report showing prices paid for ani-

mals purchased by him under this Act, from whom, and where purchased, with a copy of the bill of sale on each animal, showing the age and breeding of each respective animal, and the location of such animal, and the name of the then custodian thereof, the amount collected by him as service charges on animals, and the amount paid out in the way of maintenance expense of animals and to whom paid."

Sec. 4. The fact that under the provisions of Acts of the Regular Session of the Forty-third Legislature, Chapter 162, page 433, as amended, Acts of the Forty-third Legislature, First Called Session, Chapter 10, page 32, the Special Racing Fund as created in such Act can not be divided or paid out until the month of December of each year, and the fact that the Department of Agriculture now has on hand and owns a large number of jacks and stallions and has no available funds for the care of same and for the fact that the service fees for jacks and stallions are now required to be deposited to the Racing Fund, depriving such Jack and Stallion Account of much needed revenues, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be on read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Respectfully submitted,

SULAK,
SMALL,
PACE,

On the part of the Senate;

McKEE,
KNETSCH,
STANFIELD,

On the part of the House.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, March 26, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 556, A bill to be entitled "An Act changing the time of holding the terms of the District Court in the Eighty-sixth Judicial District, and providing that all processes and writs

heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in counties composing said district, together with jurors heretofore selected, are valid and returnable to the first term of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect to the end of their terms, etc., and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 71 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 71, relating to the licensing of motor vehicle operators, on its passage to engrossment;

The bill having been read second time on this morning, with committee amendment by Mr. Harris of Dallas, pending.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 as follows: After the word "Act" in line 5, page 11, add these words: "Provided, no license shall be revoked until the accused person shall be found guilty by a jury, and a jury shall pass on the facts as set forth in this section as to whether the person is entitled to a license."

Mr. Dunagan moved to table the amendment by Mr. Farmer.

The motion to table prevailed.

Mr. Hardin offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by striking out Article A, Section 17, lines 22, 23, 24, and 25, page 9.

Mr. Harris of Dallas moved to table the amendment by Mr. Hardin.

The motion to table prevailed.

Mr. Aikin offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, page 9, by striking out all of lines 22 to 40, inclusive.

Mr. Harris of Dallas moved to table the amendment by Mr. Aikin.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—49

Adamson	Knetsch
Burton	McCalla
Collins	McFarland
Colquitt	McKee
Cooper	Morris
Cowley	Morse
Daniel	Newton
Dickison	Nicholson
Dunagan	Padgett
Dunlap of Hays	Patterson
Ford	Quinn
Fox	Reed of Dallas
Fuchs	Roach of Hunt
Hankamer	Russell
Hanna	Scarborough
Harris of Dallas	Settle
Hill	Steward
Hofheinz	Stinson
Holland	Thornton
Hoskins	Waggoner
Howard	Westfall
Hyder	Worley
Jackson	Young
James	Youngblood
Jefferson	

Nays—70

Adkins	Hardin
Aikin	Harris of Archer
Alsup	Herzik
Ash	Hodges
Beck	Huddleston
Bourne	Hunter
Bradbury	Jones of Atascosa
Bradford	Jones of Falls
Broyles	Jones of Runnels
Butler of Karnes	Jones of Shelby
Canon	Jones of Wise
Craddock	Keefe
Crossley	King
Davis	Lanning
Davison of Fisher	Latham
Davisson	Lemens
of Eastland	Lindsey
Dwyer	Lotief
England	Lucas
Fain	McConnell
Farmer	McKinney
Fisher	Moffett
Fitzwater	Morrison
Frazer	Olsen
Gibson	Pope
Glass	Reed of Bowie
Good	Riddle
Graves	Roach of Angelina
Gray	Roark
Greathouse	Roberts

Rutta	Tillery
Shofner	Walker
Stanfield	Wells
Stovall	Wood of Harrison
Tarwater	Wood of Montague
Tennyson	

Present—Not Voting

Payne

Absent

Alexander	Hunt
Atchison	Lange
Bergman	Leath
Butler of Brazos	Leonard
Cagle	Luker
Caldwell	Moore
Calvert	Palmer
Celaya	Petsch
Clayton	Roane
Colson	Rogers
Dunlap of Kleberg	Smith
Duvall	Spears
Hartzog	

Absent—Excused

Head	Reader
Mauritz	Venable

Question recurring on the amendment by Mr. Aikin, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—75

Adkins	Good
Aikin	Graves
Alsup	Gray
Ash	Greathouse
Atchison	Hardin
Bourne	Harris of Archer
Bradbury	Herzik
Bradford	Hodges
Broyles	Holland
Butler of Brazos	Huddleston
Butler of Karnes	Hunt
Cagle	Jones of Atascosa
Canon	Jones of Falls
Celaya	Jones of Runnels
Cowley	Jones of Shelby
Craddock	Jones of Wise
Crossley	Keefe
Davis	King
Davison of Fisher	Lanning
Davisson	Latham
of Eastland	Lemens
Dwyer	Leonard
England	Lindsey
Fain	Lotief
Farmer	Lucas
Fisher	Luker
Fitzwater	McConnell
Frazier	McKinney
Gibson	Morrison
Glass	Olsen

Padgett	Shofner
Payne	Stovall
Pope	Tennyson
Reed of Bowie	Tillery
Roach of Angelina	Walker
Roark	Wells
Roberts	Wood of Harrison
Rutta	Wood of Montague

Nays—47

Adamson	Leath
Beck	McCalla
Bergman	McFarland
Burton	McKee
Calvert	Moffett
Collins	Morris
Colquitt	Nicholson
Cooper	Patterson
Daniel	Quinn
Dunagan	Reed of Dallas
Fox	Riddle
Hankamer	Roach of Hunt
Hanna	Settle
Harris of Dallas	Smith
Hartzog	Stanfield
Hill	Steward
Hofheinz	Stinson
Hoskins	Tarwater
Howard	Thornton
Hunter	Waggoner
Jackson	Westfall
James	Worley
Jefferson	Youngblood
Knetsch	

Absent

Alexander	Moore
Caldwell	Morse
Clayton	Newton
Colson	Palmer
Dickison	Petsch
Dunlap of Hays	Roane
Dunlap of Kleberg	Rogers
Duvall	Russell
Ford	Scarborough
Fuchs	Spears
Hyder	Young
Lange	

Absent—Excused

Head	Reader
Mauritz	Venable

Mr. Reed of Bowie offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, page 8, by striking out lines 4 and 5.

Mr. Harris of Dallas moved to table the amendment by Mr. Reed of Bowie.

The motion to table prevailed.

Mr. Lemens offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, lines 4 and 5, page 8, by substituting "10c" for "25c" wherever it occurs.

LEMENS,
MORRISON,
LUCAS,
HARDIN.

Mr. Harris of Dallas moved to table the amendment by Mr. Lemens.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—63

Adamson	Jackson
Alexander	James
Atchison	Jefferson
Bergman	Jones of Wise
Burton	Keefe
Calvert	Leath
Canon	Lotief
Celaya	McCalla
Clayton	McFarland
Collins	McKinney
Colquitt	Moffett
Cooper	Moore
Daniel	Morris
Dunagan	Morse
Duvall	Padgett
Dwyer	Patterson
Ford	Petsch
Frazer	Quinn
Fuchs	Reed of Dallas
Graves	Riddle
Hankamer	Roach of Hunt
Hanna	Russell
Harris of Archer	Rutta
Harris of Dallas	Settle
Hartzog	Steward
Hodges	Stinson
Hofheinz	Thornton
Hoskins	Waggoner
Howard	Wells
Hunt	Westfall
Hunter	Young
Hyder	

Nays—60

Adkins	Fain
Aikin	Farmer
Alsup	Fisher
Beck	Fitzwater
Bourne	Fox
Bradbury	Gibson
Bradford	Glass
Broyles	Good
Butler of Karnes	Gray
Craddock	Greathouse
Crossley	Hardin
Davison of Fisher	Herzik
Davisson	Holland
of Eastland	Jones of Atascosa

Jones of Runnels	Pope
Jones of Shelby	Reed of Bowie
King	Roach of Angelina
Lanning	Roberts
Latham	Rogers
Lemens	Shofner
Leonard	Spears
Lindsey	Stanfield
Lucas	Stovall
Luker	Tarwater
McConnell	Tennyson
McKee	Tillery
Morrison	Wood of Harrison
Newton	Wood of Montague
Nicholson	Worley
Olsen	Youngblood
Payne	

Absent

Ash	Hill
Butler of Brazos	Huddleston
Cagle	Jones of Falls
Caldwell	Knetsch
Colson	Lange
Cowley	Palmer
Davis	Roane
Dickison	Roark
Dunlap of Hays	Scarborough
Dunlap of Kleberg	Smith
England	Walker

Absent—Excused

Head	Reader
Mauritz	Venable

Mr. Lemens offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by adding at the end of the paragraph, line 22, page 8, the following: "And provided further, that at the end of each and every fiscal year all sums of money remaining in the Motor Vehicle Fund shall be transferred into the General Revenue Fund of the State."

The amendment was adopted.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 as follows: After the word "Act" in line 9, page 6, add these words: "for which no charge shall be made."

The amendment was adopted.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 as follows: Strike out the words "may in its discretion"

and insert therefor the word "shall," in line 33, page 5.

Mr. Dunagan moved to table the amendment by Mr. Farmer.

The motion to table prevailed.

(Mr. Calvert in the Chair.)

Mr. Riddle offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, page 9, Section 17-a, by adding a new Subsection 5, as follows:

"All motor vehicles operated on the highways of this State must be equipped with dimmers. Any such operator of a motor vehicle shall operate his lights so as to change the glaring bright lights to the dimmer lights at a distance of 200 feet before meeting approaching vehicle."

The amendment was adopted.

Mr. Alexander offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, in Subsection (g), of Section 1, by adding between the word "use" and the word "as" in line 11, the words "for hire."

The amendment was adopted.

Mr. Shofner and Mr. Lemens offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 by striking out the word "manslaughter" in provision one of Section 16 and substituting the following "negligent homicide or aggravated assault."

SHOFNER,
LEMENS.

The amendment was adopted.

Mr. Collins and Mr. Colquitt offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, Section 18, page 11, line 5, by adding the following: "Provided, however, that any person whose license has been revoked, except where the provisions are mandatory, shall have the right to supersede the act of revocation pending a hearing as herein contemplated, by the filing with the court herein named a cash bond, or bond with two or more sureties approved by the judge of said court."

COLLINS,
COLQUITT.

The amendment was adopted.

Mr. Jones of Atascosa offered the following amendment to the committee amendment:

Amend committee amendment for House Bill No. 71 by adding after the word "year," in line 37, Section 5, the following: "nor over 96 years," and by adding after the word "years" at the end of Section 5, line 38, page 3, the following: "nor over 108 years."

Mr. Harris of Dallas moved to table the amendment by Mr. Jones of Atascosa.

The motion to table prevailed.

Mr. Lemens offered the following amendment to the committee amendment:

Amend committee amendment for House Bill No. 71, page 11, by adding a new section after Section 22, to be numbered 22-a, to read as follows:

"Section 22-a. All persons licensed under the provisions of this Act shall, as a condition precedent to the issuance of such license, procure and deposit with the State Highway Commission, a public liability and property damage insurance policy with normal limits as this term is used by the Insurance Commission, payable to the State Highway Engineer, as trustee for the use and benefit of those who may recover against such licensee, by agreement or judgment of any court of competent jurisdiction, indemnity for loss by property damage and/or personal injuries, provided this requirement may be satisfied by a similar provision of such State Highway Engineer with a personal or surety company indemnity bond, conditioned as above, in an amount of not less than five hundred dollars (\$500), and provided further that this requirement shall not apply to applicants who satisfy the State Highway Commission that such applicant is financially solvent for a sum of not less than one hundred dollars (\$100), such solvency to be tested by the laws governing the sufficiency indemnity bonds on execution."

Mr. Farmer raised a point of order on further consideration of the amendment by Mr. Lemens, on the ground that the amendment is not germane to the bill.

The Chair overruled the point of order.

Mr. Harris of Dallas moved to table the amendment by Mr. Lemens.

The motion to table prevailed.

Mr. Farmer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71 as follows:

On page 11, in line 8, strike out the words "one year" and insert therefor the words "six months."

The amendment was adopted.

Mr. Fox offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 71, page 6, by striking out Section 10 and inserting in lieu thereof the following:

"Section 10. Designation of Local Officers. The Commissioner (Department) is hereby authorized to designate sheriffs, constables, chiefs of police or town marshals within this State to act for the Department for the purpose of examining applicants for operator's and chauffeur's licenses, and any such person so appointed shall have the authority to administer oaths to applicants for licenses under this Act. It shall be the duty of such sheriffs, constables, chiefs of police or town marshals so designated to conduct examinations of applicants for operator's and chauffeur's licenses under the provisions of this Act and to make a written report of findings and recommendations upon such examination to the Department of Texas. Reasonable compensation shall be allowed such officer for each examination made."

Mr. Aikin offered the following amendment to the amendment by Mr. Fox:

Amend Fox amendment by striking out the words "reasonable compensation."

Mr. Fox moved to table the amendment by Mr. Aikin.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—61

Adamson	Collins
Alexander	Colquitt
Alsup	Cooper
Burton	Davis
Celaya	Davison
Clayton	of Eastland

Dickison	McFarland
Dunagan	McKinney
Duvall	Moffett
Fisher	Moore
Ford	Morris
Fox	Morse
Fuchs	Newton
Graves	Olsen
Hankamer	Patterson
Hanna	Petsch
Harris of Dallas	Quinn
Hill	Reed of Dallas
Hodges	Riddle
Hofheinz	Roach of Hunt
Holland	Russell
Hoskins	Settle
Howard	Smith
Hunter	Steward
Hyder	Stinson
Jackson	Thornton
Jefferson	Waggoner
Keefe	Walker
King	Westfall
Lucas	Young
McCalla	Youngblood

Nays—56

Aikin	Jones of Wise
Atchison	Knetsch
Beck	Lanning
Bergman	Latham
Bourne	Leath
Bradbury	Lemens
Bradford	Lindsey
Broyles	Lotief
Butler of Karnes	Luker
Canon	McConnell
Colson	Morrison
Craddock	Payne
Daniel	Reed of Bowie
Dunlap of Hays	Roach of Angelina
Fain	Roane
Farmer	Roark
Fitzwater	Roberts
Frazer	Rogers
Gibson	Scarborough
Glass	Shofner
Greathouse	Stanfield
Hardin	Stovall
Harris of Archer	Tarwater
Hartzog	Tennyson
James	Tillery
Jones of Atascosa	Wells
Jones of Runnels	Wood of Harrison
Jones of Shelby	Wood of Montague

Absent

Adkins	Dunlap of Kleberg
Ash	Dwyer
Butler of Brazos	England
Cagle	Good
Caldwell	Gray
Calvert	Herzik
Cowley	Huddleston
Crossley	Hunt
Davison of Fisher	Jones of Falls

Lange	Palmer
Leonard	Pope
McKee	Rutta
Nicholson	Spears
Padgett	Worley

Absent—Excused

Head	Reader
Mauritz	Venable

Mr. Farmer offered the following amendment to the amendment by Mr. Fox:

Amend amendment by Mr. Fox to House Bill No. 71 as follows: After the word "Act" in line 9, page 6, add these words: "for which no charge shall be made."

The amendment was adopted.

Question recurring on the amendment by Mr. Fox, as amended, it was adopted.

Question—Shall the committee amendment be adopted?

Mr. Harris of Dallas moved that all proposed amendments on the Speaker's desk, to House Bill No. 71, be printed in the Journal.

The motion was lost.

MOTION TO TAKE UP HOUSE BILL NO. 325

Mr. Alsup moved that the House Rule, which prohibits the making of a motion at this time to suspend the regular order of business, be suspended for the purpose of making a motion to take up out of its regular order and have placed on its second reading, House Bill No. 325.

The motion was lost.

NOTICE GIVEN

Mr. Shofner gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 163, which bill was heretofore laid on the table subject to call.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, March 26, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 324, A bill to be entitled "An Act prohibiting any person from

catching, retaining, or having in his possession any channel catfish or blue catfish which are less than eleven inches in length or to catch or retain or have in his possession in any one day a total aggregate of more than twenty of such fish taken from any of the waters described in Section 1 of Chapter 37 of the Acts of the Thirty-ninth Legislature; and providing a maximum number of hooks that may be used on any trot-line and the minimum distance of said hooks from each other on said line; and providing the minimum distance from each other that any trot-lines may be set and the number of trot-lines that any party composed of any two or more persons may set or use at the same time in the waters described in said Section 1 of Chapter 37 of the Acts of the Thirty-ninth Legislature; and defining what is meant by the word 'party' as used in this Act, and declaring an emergency."

S. B. No. 465, A bill to be entitled "An Act to provide that in all counties having a population of 350,000 or more, according to the last preceding Federal Census, upon petition of one hundred and fifty or more of the qualified voters of such county, the county judge of such county shall order an election for the purpose of submitting to the qualified voters of such county the question of whether or not a tax for school purposes not to exceed one cent on the one hundred dollars valuation of taxable property in such counties shall be levied, assessed, and collected for an equalization fund for the purpose of equalizing educational opportunities in such counties, and for the payment of administration expenses, and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

RELATIVE TO HOUSE BILL NO. 325

Mr. Lindsey, asked unanimous consent of the House, that his name be withdrawn from House Bill No. 325 as one of the signers thereof.

There was objection offered.

CHANGE IN CERTAIN AMENDMENT TO HOUSE NO. 327

Mr. Good asked unanimous consent of the House, that the amendment

offered by himself and adopted by the House, to House Bill No. 327, be changed to read as follows:

Amend House Bill No. 327, page 3, Section 5, by adding after the words "colored school," in line 4 of said Section the following:

"Provided if the district is unable to maintain a sixty-five (65) per cent attendance, the case may be appealed to the State Superintendent and/or the State Board of Education for disposition, who may from the facts grant aid to the district."

There was no objection offered, and it was so ordered.

RECESS

Mr. Morrison moved that the House adjourn until 10 o'clock a. m., tomorrow.

Mr. McCalla moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Colson moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Collins moved that the House recess to 10 o'clock a. m., tomorrow.

The motion of Mr. Colson prevailed and the House accordingly at 5 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution as follows:

Agriculture: House Bill No. 141.
Criminal Jurisprudence: House Bill No. 741.

Education: House Bill No. 833.
Game and Fisheries: House Bills Nos. 845, 846, and 847.

Municipal and Private Corporations: House Bills Nos. 187 and 866.
Judiciary: House Bills Nos. 863, 783, 613, 835, and 848.

State Affairs: House Bills Nos. 746, 694, 747, and 675, and House Concurrent Resolution No. 48.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, March 25, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 720, A bill to be entitled "An Act ratifying the Interstate Compact made by the Governor of Texas with the Governors and their representatives of other oil-producing States at Dallas, Texas, on February 16, 1935; providing that same shall be effective in accordance with the terms thereof; providing for a representative to the Interstate Oil Compact Commission; providing for withdrawal by the State from such compact, making an appropriation, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

ALEXANDER, Acting Chairman.

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 782, A bill to be entitled "An Act providing for the conservation of the oil and gas resources of the State of Texas and for the prevention of the waste thereof; providing means of making effective and enforcing the oil and gas conservation laws of this State and Title 102, Revised Civil Statutes, 1925, as amended; defining terms; specifically defining and prohibiting waste; empowering and directing the Railroad Commission of Texas to make and enforce such rules, regulations or orders as may be necessary to conserve such oil and gas resources and prevent their waste, etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

ALEXANDER, Acting Chairman.

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 19, Proposing an amendment to Article III of the Constitution of the State of Texas by adopting a new section to be known as Section 51-b, which shall provide that the Legislature shall have the power to co-operate with the United States of America in providing for

and paying an old age pension to actual bona fide citizens of Texas over the age of sixty-five years who have not been convicted of a felony within ten years next prior to the granting of such pension and who have never been convicted of being an habitual criminal, etc.,

Has carefully compared same, and finds it correctly engrossed.

ALEXANDER, Acting Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 26, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 230, "An Act appropriating the sum of eleven hundred dollars (\$1100), or so much thereof as may be necessary, out of any moneys in the General Revenue Fund of this State, not otherwise appropriated, for the purpose of hiring two (2) additional stenographers for the Governor's office, together with necessary materials, etc., such appropriation to last throughout the current biennium, ending August 31, 1935, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, March 26, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 556, "An Act changing the time of holding the terms of the District Court in the Eighty-sixth Judicial District, and providing that all processes and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in counties composing said district, together with jurors heretofore selected, are valid and returnable to the first term of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this Act takes effect to the end of their terms; providing that the County Attorney of Van Zandt

County shall represent the State in all criminal cases in said court and receive the same fees and compensation as is now provided by law for the County Attorney of Kaufman County; repealing all conflicting laws; fixing the effective date of the Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

FORTIETH DAY

(Continued)

(Wednesday, March 27, 1935)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following Senate bills and Senate joint resolution were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 324, to the Committee on Game and Fisheries.

Senate Bill No. 465, to the Committee on Education.

Senate Joint Resolution No. 9, to the Committee on Constitutional Amendments.

SENATE BILL NO. 146 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 146, A bill to be entitled "An Act to create the Department of Public Safety of the State of Texas; and the Public Safety Commission."

The bill was read second time.

By unanimous consent of the House, further consideration of Senate Bill No. 146 was postponed until next Wednesday.

SENATE BILL NO. 321 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 321, A bill to be entitled "An Act amending Sections 17, 18, 19, and 20, of Chapter 290, Acts of